

FAX TRANSMISSION

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To: Legal Instruments Examiner
Sharain Moreland
U.S. Patent and Trademark Office

Date: March 30, 2004

Fax No.: 703-308-3519

Pages: 14, including this cover sheet.

From: Robert M. Gamson, Esquire

Subject: U.S.A. patent application Serial No. 10/048,143, filed January 23, 2002, for "MULTI-PURPOSE ELEMENT FOR SLIDING METAL RACKS LOCATED INSIDE FURNITURE"; Compagnucci, Inventor; Compagnucci - S.P.A., Assignee; Our Ref. 02003-PCT-PA

COMMENTS:

On March 19, 2004, we faxed to Examiner L. Mai, a copy of an Amendment originally filed on November 4, 2003. Apparently, this Amendment was not in the Office files.

A Notice of Non-Compliant Amendment dated March 25, 2004 was received. A copy is enclosed.

In our telephone conversation of March 30, 2004, you requested that the entire Amendment with the corrected listing of all the claims be faxed to you. It is enclosed herewith. Also enclosed is a copy of the Express Mail receipt and the postcard dated November 6, 2003 by the U.S. Patent and Trademark Office. It is requested that an examination on the merits be conducted.

Respectfully submitted,



Robert M. Gamson
Reg. No. 32,986

CERTIFICATE OF TRANSMITTAL

I hereby certify that this correspondence, consisting of 13 pages, is being transmitted via facsimile to the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 3/19/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preonnotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Sharon Mordant
Legal Instruments Examiner (LIE)

703-308-3760
Telephone No.